Guidance on Transferring a Premises Licence

# General

A Premises Licence is in place to allow a premises to undertake licensable activities. A licensable activity could be supply of alcohol or late-night refreshment. More information on what licensable activities are can be found on our website at [www.oldham.gov.uk/licensing](http://www.oldham.gov.uk/licensing).

# Applying to transfer a Premises Licence

When change of ownership of a licensed premises takes place, an application must be made to the Licensing Authority to notify them of the change taking place.

A Premises Licence does not have to be transferred into an individual’s name, it can also be held by a Limited Company, or other alternatives. Full details of who may apply for the Premises Licence is outlined on the prescribed application form, details of which are below.

As an individual, to be eligible to transfer a Premises Licence into your name, you must be able to provide proof that you have the right to live and work in the UK.

The application must be completed on the prescribed form, which can be found at [www.oldham.gov.uk/licensing](http://www.oldham.gov.uk/licensing). The application must be accompanied by a Transfer Consent form, which can also be found online. This consent form must be completed by the existing Licence holder, to confirm they are happy to transfer the Licence out of their name.

When complete, the forms should be emailed to [licensing@oldham.gov.uk](mailto:licensing@oldham.gov.uk) and the associated fee of £23 should be paid online.

The application form must also be served on Greater Manchester Police and the Home Office, however, if your application is submitted via email the Licensing Authority will forward the application to the relevant Authorities on your behalf.

An application to transfer a Premises Licence may take immediate effect on submission, however, GMP & the Home Office have 14 days to make an objection to the proposed Licence holder.

If one or both objects, the application will proceed to a Licensing Committee Hearing where the outcome will be determined. At the hearing there will be one of two outcomes, the application will be granted, or the application will be refused. If the application is refused, the Licence holder will revert to what it was prior to the application being submitted.

# Other things to consider

If the Premises Licence you are transferring into your name allows you to supply alcohol from the premises, then you may also be required to complete an application to change the Designated Premises Supervisor, also referred to as a DPS.

A DPS is responsible for all sales of alcohol from a premise at which they are specified as the nominated DPS. There must always be a DPS specified on a Licence where the premises supplies alcohol.

If there is going to be a change to the nominated DPS, an application must be made to the Licensing Authority to notify them of that change.

Relevant application forms and associated guidance on this matter can be found online at [www.oldham.gov.uk/licensing](http://www.oldham.gov.uk/licensing). If you are unsure if you are required to complete this process, please contact a member of the Licensing Team at [licensing@oldham.gov.uk](mailto:licensing@oldham.gov.uk) who will be happy to guide you.

# Useful contact information/links:

The Licensing Service receive applications and respond to queries by email. You can contact a member of the team at [licensing@oldham.gov.uk](mailto:licensing@oldham.gov.uk)

The Licensing Service provides all their application forms and guidance on the Council website. These can be found at [www.oldham.gov.uk/licensing](http://www.oldham.gov.uk/licensing).

The Licensing Act 2003 can be found online at <https://www.legislation.gov.uk/ukpga/2003/17/contents>

Statutory Guidance can be found online at <https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>